

In the  
**United States District Court**  
For the  
**Western District of Wisconsin**

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Tyler Holte,

Plaintiff,

Case No. 3:20-cv-00131-jdp

v.

The City of Eau Claire,  
and Hunter Braatz,

Defendants.

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**PLAINTIFF'S REQUESTED VOIR DIRE QUESTIONS**

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The Plaintiff, Tyler Holte, by his attorneys, The Jeff Scott Olson Law Firm, S. C., hereby requests that the Court put the following questions to the jury on voir dire, in addition to its standard questions.

**Question for Raised-Hand Responses and Follow-up by Court.**

1. Please raise your hand if you have had a yard sign in your yard or a bumper sticker on your car at any point in the last ten years.
2. Please raise your hand if you or anyone close to you has ever worked for a lawyer or law firm, or in the insurance field, or for health care provider, or for a government agency, in any capacity. (Then ask each hand-raiser about the circumstances.)
3. Please raise your hand if you or any of your close friends or family members have had any forensic or investigative training. (Then ask each hand-raiser about the circumstances.)
4. Please raise your hand if you regularly watch police dramas.
5. Please raise your hand if you have ever made any kind of financial contribution to any group, association, or organization that represents law enforcement officers or that supports or promotes their interests. (Please ask each hand-raiser to explain.)
6. Please raise your hand if you know or have known any judges, attorneys, or court personnel. (Then ask each hand-raiser about the circumstances.)
7. Please raise your hand if you or any friends or family members have ever worked in law enforcement or for a probation or parole office, or in a job that required

regular contact with law enforcement. (Then ask each hand-raiser about the circumstances.)

8. Please raise your hand if you or anyone close to you have ever thought that you might like to be a law enforcement officer or a probation officer. (Then ask each hand-raiser about the circumstances, and what it was about police work that he or she was drawn to.)

9. Please raise your hand if you have you ever called the police or if you have been present when police responded to a call or to an event of some sort. (Ask each hand-raiser to explain the circumstances and what sort of impression the police made on him or her.)

10. Please raise your hand if you have had contact with police or law enforcement through your neighborhood or as part of your social life. (Ask each hand-raiser to explain the circumstances and what sort of impression the police made on him or her.)

11. Please raise your hand if you have ever been to a police station or been on a police ride-along. (Then ask each hand-raiser to explain.)

12. Please raise your hand if you or someone close to you has ever been a probation or parole agent.

13. Please raise your hand if you or someone close to you has ever been on probation or parole.

14. Please raise your hand if you have ever worked in a field focused on social work, mental health care, or drug or alcohol treatment.

15. Please raise your hand if you have any medical or mental health training.

16. Please raise your hand if you have any specialized experience working with the adult children of mentally ill parents.

17. Please raise your hand if you have had any extremely positive experiences with police officers or any extremely negative experiences with police officers. (Then ask each hand-raiser to explain the circumstances and say whether the experience might make him or her lean toward one side or the other in this case.)

18. Please raise your hand if you or anyone close to you has ever seen the police use force on yourself or on someone else. (Then ask each hand-raiser to describe each incident and whether it made a positive or negative impression, and why.)

19. Please raise your hand if you have never seen a police officer use what you would consider to be an unnecessary or excessive amount of physical force against a citizen, either in person or in a non-fiction video.

20. Please raise your hand if you think it is always OK for a police officer to use physical force to gain compliance when a suspect has apparently ignored an officer's initial orders to do something. (Then ask each hand raiser that if they will be able to put that belief aside to follow the legal instructions that will be given in this case to analyze a use of force under the Constitution.)

21. Please raise your hand if you believe it is always OK for a police officer to use a weapon on a person that does not do what an officer orders them to do. (Then ask each hand raiser that if they will be able to put that belief aside to follow the legal instructions that will be given in this case to analyze a use of force under the Constitution.)

22. Please raise your hand if you have ever been lied to or abused by a public official or government employee.

23. Please raise your hand if you or any of your close friends or family members have any personal experience with weapons, including traditional firearms and/or impact devices such as bean bag rifles or rubber bullets. (Then ask each hand-raiser about the circumstances.)

24. Please raise your hand if you are afraid of guns in any context. (Then ask each hand-raiser to explain why.)

25. Please raise your hand if you or a loved one has experienced depression, mental health issues, or a severe emotional crisis, including any suicide thoughts or attempts.

26. Please raise your hand if you or a loved one has struggled with or been treated for drug abuse or drug dependence.

27. Please raise your hand if you have ever cut someone out of your life for using alcohol or drugs.

28. Please raise your hand if you have never had an experience where you did something embarrassing or regrettable while intoxicated.

29. If you are chosen as a juror in this case, you will have to hear about gunshot wounds involving blood, broken bones, and infections. Please raise your hand if you believe this might be too difficult for you for any reason. (Then ask each hand-raiser to explain why.)

30. Please raise your hand if you have ever spent considerable time in the Eau Claire area. (Then ask each hand-raiser to elaborate.)

31. Would any of you feel that you or members of your family might be somewhat embarrassed if it were to become known that you had sat on a jury which brought in a verdict of excessive force against a City of Eau Claire Police Officer? Please raise your hand if you think you might be embarrassed, even to a modest extent. (Then ask each hand-raiser about his or her reasons for thinking so.)

32. Some people might be uncomfortable evaluating the conduct of a police officer in action because they think of police officers as serving the community in a dangerous job, while others believe that community oversight of its police officers' actions is appropriate and beneficial. First, please raise your hand if you feel closer to those people who might be reluctant to judge a police officer's actions. Thank you, you may put your hands down. Now, please raise your hand if you feel closer to those people who believe that community oversight of its police officers' actions is appropriate and beneficial.

33. Some people might consider filing a lawsuit if they were wronged by another's unlawful actions, and some people would almost never file a lawsuit. Please raise your hand if you feel closer to the people who would almost *never* file a lawsuit.

34. Some people might be a little uncomfortable serving on a jury in a case that may be watched by public officials or covered in the news media, and other people would be okay with serving in a case like that. Please raise your hand if you feel closer to the people who might be uncomfortable serving in a case that generated some public interest.

35. Some people might be more inclined to believe the testimony under oath of a police officer compared to an ordinary citizen, and some people would be more inclined to mistrust the testimony of a police officer. Please raise your hand if you feel closer to the people who would be likely to trust the testimony of a police officer over the testimony of an ordinary citizen. (Ask each hand-raiser to explain why.)

36. Please raise your hand if you have any values or beliefs that might make it a little harder for you to award full compensation to the family of a victim of police excessive force and against a present or former police officers. (Ask each hand-raiser to explain.)

Dated this Friday, July 16, 2021.

Respectfully submitted,

Tyler Holte, Plaintiff.

By

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/s/ Jeff Scott Olson

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**Certificate of Service**

I hereby certify that on Friday, July 16, 2021, I electronically filed the foregoing with the Clerk of the Court using the ECF system which will send notification of such filing to the following: Remzy Bitar and Matteo Reginato, and I hereby certify that I have mailed by United States Postal Service the document to the following non ECF participants: none.

/s/ Jeff Scott Olson